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OTHER ISSUES

Written statement*/ submitted by Pax Christi International, International Catholic Peace Movement, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[28 June 2001]

*/ This written statement is issued, unedited, as received in English and French, from the submitting non-governmental organization(s).

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Pax Christi International registers the continued failure of the Australian Government to uphold its international obligations under the Geneva Convention of July 1951 and the Protocol of 1973, related to the Status of Refugees by attempting to introduce legislation that might alter interpretations of the refugee convention, thus making it more difficult for people who require protection to obtain refugee status.

Weaknesses in the UN Treaty system should not result in undermining of the one instrument that currently exists to protect vulnerable people.

When courts accept claims because of the application of judicial precedents, there are incidents where the Department of Immigration and Multicultural Affairs [Australian Government] have been interfering by threatening to toughen up the laws.

The bipartisan policy of mandatory detention adhered to by the two major political parties in Australia of people who come to Australia is cruel and expensive and leads to conditions that result in demonstrations and rioting.

Abuse of human rights continues to occur at detention centres.

A recent parliamentary report claims that bashings, deprivation, psychological deterioration of detainees and middle of the night musters of detainee where sleep is disturbed three or four times a night to check identities occurred and should be halted.
More recent reports of physical assault/abuse by guards at the Villawood Detention Centre.

Protests at the human rights results in suggestions that these people are likely to be deported very quickly.

Rather than investigating claims of abuse and calls for a review of the UN treaty system, the Australian Government has taken a tougher approach to asylum seekers.
The tendency to deter people seeking asylum through harsher treatment of present refugees causes Australia can give rise to the suspicion that Australia takes sides with the countries from which these people have escaped.

The Government has threatened to ignore UN requests to delay the removal of 'failed' asylum seekers from Australia pending the outcome of inquiries by bodies such as the committee Against Torture.

The punitive action of poorly treating people seeking asylum as a strategy to deter other tortured and traumatised people wanting to come to Australia is blatantly immoral.

Sections of the Australian media serve the Australian Government's agenda by falsely labelling them as 'queue-jumpers', 'illegal immigrants', 'boat-people' and 'criminals', thus demonising these people and leading to community vilification.

The failure of the Australian Government to advise people of their rights when seeking protection to obtain refugee status.

The deliberate refusal to advise people of their rights in order to fulfil correct procedures to seek refugee status has led to greater traumatisation of people.

The assumption is made that all people who come to Australia and seek protection or asylum are economic immigrants rather than people seeking protection/asylum and refugees.

This leads to unnecessary and lengthy detention.

Money allocated to refugee resettlement has been wasted by using it to screen, reject and remove people who do not fit the definition of refugee in the Convention related to the Status of Refugees of 1951. It is used to lock up people seeking asylum in mostly remote areas of Australia for excessive periods of time while their claims are being assessed, and at the same time making access to lawyers very difficult.

Recommendations:

The Australian Government must adhere to the UN Conventions and Protocols relating to the treatment of refugees and stop mandatory detention of all people seeking refugee status. These are the only instruments in place that protect vulnerable people seeking protection.

The Australian Government must allow greater access to detention centres by NGO's, the Churches and Journalists to monitor conditions of the detention centres.

The Australian Government must recognize the right of all people to seek protection from human rights abuses irrespective of where they come from or how they arrive.

People arriving without appropriate visas or documents should be given access to human rights lawyers.